THE DOMINICAN QUESTION.

Additional Diplomatic Correspondence Relating to the Proposed Annexation—The Haytien Government Alarmed.

WASHINGTON, D. C., Jan. 25, 1871.

The following correspondence is extracted from the correspondence not long ago sent to the Senate by the President, and allusion to which was made at the time in a brief telegraphic despatch:—

MR. BASSETT TO MR. FISH.

LEGATION OF THE UNITED STATES,
[No. 40.] PORT AU PRINCE, Hayti, Feb. 17, 1870.

Referring to my No. 26 and your No. 32, I have the honor to state that I transmitted to the Haytien government notification (see enclosure A) that the United States asked, and expected it to observe, a strict neutrality in reference to the internal affairs of St. Domingo. The Secretary of State returned answer (see enclosure B, informing me that he had brought my despatch to the thoughtful attention of this government.

Meantime, to further the spirit of your instructions, I had put myself in communication with respectable sources of information, and found reasonable ground for supposition that intrigues might be on foot by which persons in authority under the Haytien government were planning, clandestinely, schemes for interference in St. Domingo affairs. I communicated these reports to Commander Owen, of the Seminole, and by the earliest opportunity forwarded a private despatch, addressed to any United States naval commander at or near Samana Bay (see enclosure C). These reports, though coming from seemingly trustworthy sources, I did not regard as sufficiently reliable to make them the basis for a recommendation of severe or extreme measures. Nevertheless, the Haytien government, in its reply to my despatch, had not pledged itself to any course of action. I, therefore, addressed to the Secretary of State another despatch (see enclosure D), referring to some of the reports which had come to me, reminding him that these reports, in the absence of any declaration of a neutral policy on the part of his government, might lead to serious embarrassments, and suggesting that such a declaration, under all the circumstances, might be desirable.

Admiral C. H. Poor, commanding our North Atlantic squadron, having arrived here on the morning of the 9th instant, on the Severn, in company with the monitor Dictator, I conferred with him on the subject and arranged for a formal call on the Haytien government the same day. The Admiral availed himself of this visit to communicate, quite pointedly, to the President and his advisers the tenor of his instructions. He also left with me a memorandum (see enclosure E) of those instructions, which I passed to the Secretary of State.

Within three days the Secretary returned answer (see enclosure F) informing me that this government had pledged itself to a strict neutrality as to the internal affairs of St. Domingo, that it had issued instructions to this effect to its agents at home and abroad, and that it would use its power and influence to prevent any attempt at interference with the domestic peace of the Dominican republic from being carried on through its territory or concocted within its jurisdiction.

This seems to me to place the Haytien government in an acceptable attitude on the subject. But I shall continue to exercise a watchful care, to the end that I may be able to take cognizance of attempts, from any source, at clandestine interference with the affairs of St. Domingo during the pendency of negotiations between our government and that republic.

EBENEZER D. BASSETT.

[A] MR. BASSETT TO MR. RAMEAU.

LEGATION OF THE UNITED STATES,
PORT AU PRINCE, Jan. 18, 1870.

SIR—I have the honor to inform you that certain negotiations are pending between the United States and President Baez, of the Dominican republic; and that I am instructed by my government to state to the government of Hayti that the United States will look with decided disfavor upon any attempt, by whomsoever made, to interfere with the domestic peace and internal affairs of the neighboring republic of Dominica during the pendency of these negotiations.

I respectfully request you, Mr. Minister, to call the attention of your government without delay to this instruction of my government; and I express the hope that the government and people of Hayti will be encouraged to preserve the strictest neutrality in respect to the internal affairs of the Dominican republic, and that they will use their good influence to prevent the occurrence of any circumstance growing out of the revolutionary state of this island by which the interests of the United States might be interfered with, and the good friendship so happily subsisting between Hayti and the United States might be in the least disturbed.

I have the honor to salute you, Mr. Minister, with the most distinguished consideration.

EBENEZER D. BASSETT.

Hon. T. RAMEAU, Secretary of State, &c.

[B] MR. RAMEAU TO MR. BASSETT.

DEPARTMENT OF STATE FOR FOREIGN AFFAIRS,
PORT AU PRINCE, Jan. 21, 1870.

SIR—I have had the honor to receive your letter of the 18th inst., by which you inform me that certain negotiations are now pending between the government of the United States and that of the republic of Dominica; and in which, by virtue of instructions which you have received, you invite my government to see that the strictest neutrality be observed by the republic of Hayti in reference to the internal affairs of the said Dominican republic during the pendency of these negotiations.

The contents of your letter have received my promptest attention, and I have submitted it to the consideration of the provisional government, which has carefully noted the communication that you have addressed to it through me.

Deign to accept, sir, the assurance of my very high consideration.

T. RAMEAU,
Secretary of State for Finances and charged with the Department of Foreign Affairs.

Mr. EBENEZER D. BASSETT, Minister Resident of the United States of America, Port au Prince.

[C] MR. BASSETT TO THE COMMANDER OF ANY UNITED STATES SHIP OF WAR AT OR NEAR SAMANA.

LEGATION OF THE UNITED STATES,
PORT AU PRINCE, Hayti, Jan. 29, 1870.

Under instructions from the government at Washington, I have warned the existing government of Hayti not to interfere in any manner in the internal affairs of the neighboring republic of St. Domingo. Nevertheless, it is reported to me, from sources entitled to respect, that representatives of this government are seeking opportunities to give support clandestinely to the revolutionary commander, Cabral.

A Jamaica schooner, the Dolphin, has cleared from Kingston for some Haytien port. It is supposed, however, that she is destined for some point in St. Domingo; that she has arms or other supplies on board, to be used against the government of President Baez, and that in case of need she is to put into this or some other port of Hayti, making arrangements to transport overland the supplies to General Cabral. The arrangements for this and similar other expeditions are supposed to be aided and abetted, if not concocted, by one Monsieur Laraque, at present the acting Haytien Consul at Kingston.

The Clare Helene, which, with English papers and under the English flag, has been in the service of the anti-Salnave revolutionists of Hayti for months, and is still in this service under the English flag, with the full knowledge of the English Chargé d'Affaires here, is reported to me as having just come from a mission of succor to Cabral. It is further reported that, under the pretence of going to Cape Haytien, other ships in the Haytien service are passing to ports in the Dominican republic on the northern coast with a view of communicating with and aiding Cabral, and that the war ship La Terreur is now on such a mission.

I am assured, too, that these operations are taking place with the connivance of the English Chargé d'Affaires and his vice consuls in this island. These reports come to me in such a way that I judge it quite worth while to report them to you.

Commander F. K. Owen, of the United States steamer Seminole, who has been in this harbor since the 27th of last month, is expected to put to sea to-morrow or Monday on account of sickness aboard. He may go to Key West and report there the urgent need of stationing a war ship of our government here in place of the Seminole. Meanwhile it will be gratifying to me and to all Americans here if you can call, even if but for a day or two, in this harbor, especially as great bitterness is manifested by the successful Haytien revolutionists against the United States government and its citizens here.

This letter is not intended as a public despatch, but as a personal communication, to put you in possession of facts which may be of service in carrying out the instructions of our government.

EBENEZER D. BASSETT.

[D] MR. BASSETT TO MR. RAMEAU.

LEGATION OF THE UNITED STATES,
PORT AU PRINCE, Feb. 9, 1870.

SIR—I thank you for your response of the 21st of last month to my despatch of an earlier date, inviting your government to observe a strict neutrality in the internal affairs of St. Domingo, and I shall take pleasure in communicating to the government of the United States the friendly spirit of which you have received notification of its wishes and expectations in this particular. But it would nevertheless have been more satisfactory and agreeable to my government and myself if you, in speaking for your government, had felt authorized to give assurance of the neutrality asked and expected by the United States.

Since the receipt of your despatch there have come to us, from sources entitled to respectful consideration, reports which, should they prove reasonably correct, in the absence of any assurance of neutrality on the part of your government, may give rise to serious embarrassments.

I will not dwell on these reports. I will only mention that your Consul at Kingston, Jamaica, is known to be cognizant of certain schemes for interfering in the affairs of St. Domingo, and that he and your Consul at Curacoa are charged with giving, or standing ready to give, the cover and protection of their official position and influence to schemes of this character. It has also come to our knowledge that certain other parties have proposed to carry on an interference in the domestic peace of St. Domingo, under cover of the Haytien flag.

In the absence of any declaration of a neutral policy on the part of your government as to the internal affairs of St. Domingo, the United States, much against their wishes, may have cause for displeasure when, on well grounded authority, we receive reports which lead us to fear that the Haytien government may be compromised by its citizens and representatives who have, as far as now known to us, received no notification from their government to observe the neutrality which my government, in cordial friendship, much desires and fully expects you to observe.

I have the honor to salute you, Mr. Minister, with the most distinguished consideration.

EBENEZER D. BASSETT.

Hon. T. RAMEAU, Secretary of State, &c., &c.

[E] REAR ADMIRAL POOR TO PRESIDENT SAGET.

NORTH ATLANTIC FLEET, U. S. FLAGSHIP SEVERN,
PORT-AU-PRINCE, Hayti, Feb. 10, 1870.

SIR—The undersigned avails himself of the arrival at this port of the Severn, flagship of the United States North Atlantic fleet, accompanied by the monitor Dictator, to inform his Excellency that negotiations are now pending between the United States government at Washington and the government of St. Domingo, that during the existence of such negotiations the United States government is determined with all its power to prevent any interference on the part of the Haytiens, or any other power with the Dominican government. Any interference or attack, therefore, by vessels under the Haytien or any other flag upon the Dominicans, during the pendence of said negotiations, will be considered an act of hostility to the flag of the United States, and will provoke hostility in return.

C. H. POOR,
Rear Admiral, Commanding U. S. N. A. Fleet.

His Excellency NISSAG SAGET, Provisional President, Republic of Hayti.

[F] MR. RAMEAU TO MR. BASSETT.

SECRETARY OF STATE FOR FOREIGN AFFAIRS,
PORT AU PRINCE, Feb. 12, 1870.

SIR—Your letter of the 9th inst., which I have had the honor to receive, has been the object of special attention on the part of my government.

As soon as the provisional government received your communication of the 18th ult., informing it of the negotiations pending between the United States and the government of President Baez, it resolved to abstain from all interference in the internal affairs of the Dominican republic and instructed, in a formal manner, its agents at home as well as abroad, to act in conformity with this resolution. We have not failed to give similar instructions to our Consuls at Kingston and Curacoa. Therefore I think I have reason to contest, not the source of your information, which I learn from you is respectable, but the correctness of that information, and feel myself happy in assuring you that we have done all that is possible to prevent the occurrence of any act that may be contrary to our disposition in this circumstance.

My government has no knowledge of any project which [illegible] has been formed with the design of interfering in the internal affairs of the Dominican republic under cover of the Haytien flag. It is fully decided to prevent any attempt of this kind from being carried on through its territory or concocted within the limits of its jurisdiction; but against any attempt of the sort which may be made elsewhere the parties interested have full power to use such measures in the premises as are sanctioned by international law.

Hoping that you will appreciate the foregoing declaration which I have been charged to make you, I beg you, sir, to accept the renewed assurance of my distinguished consideration.

T. RAMEAU,
Secretary of State for Finances and Commerce, charged with the Department of Foreign Affairs.

Mr. EBENEZER D. BASSETT, Minister Resident of the United States of America, Port au Prince.

MR. PRESTON TO MR. FISH.

WASHINGTON, Dec. 8, 1870.

I have the honor to call your serious attention to the following passage in the Message of his Excellency the President of the United States, addressed to Congress, on the 5th inst.:—

"My suggestion is that, by a joint resolution of the two houses of Congress, the Executive be authorized to appoint a commission to negotiate a treaty with the authorities of St. Domingo for the acquisition of that island," &c.

This passage in the Message of the President of the United States, asking Congress for authority to make a treaty to annex the *island of St. Domingo* (the name formerly given to Hayti by Europeans, and still commonly used in the United States), has caused me deep and painful surprise, which it will be very easy for you to appreciate. My quality as Minister of Hayti, accredited near your government, imposes upon me the obligation to address you, in order to receive explanations touching the meaning of this phrase, which seems to me to be a formal menace to the independence of Hayti, with regard to which the Haytiens are susceptible in a very high degree.

The idea of destroying the autonomy of my country can only be based upon a serious error, and this is the more to be regretted, as it comes from the great republic of the United States of the North, which we considered as our ally and as one that would, in case of necessity, protect us against the aggression of European Powers.

I shall be very happy to transmit to my government, with the Message of the President of the United States, such communications as you may be pleased to address me on this subject, which I hope will be sufficiently satisfactory to calm its legitimate anxieties and will aid in preventing unfortunate complications to my country in future.

I have the honor to be, Mr. Secretary of State, with very high consideration, your obedient servant,

STEPHEN PRESTON.

MR. FISH TO MR. STEPHEN PRESTON.

DEPARTMENT OF STATE,
WASHINGTON, Dec. 12, 1870.

SIR—I have had the honor to receive your note of the 8th inst., referring to a passage relative to the island of St. Domingo, contained in the Message of the President of the United States to Congress at the opening of the present session, and requesting explanations on the subject. In reply I have the honor to inform you that the message of the President to Congress has never been regarded as a proper subject of discussion with a representative of a foreign Power, and there is no reason perceived for a deviation from the rule in this instance.

A message of the President is a communication between two distinct branches of this government, and, as such, is strictly and exclusively a domestic document, to which, it is conceived, no foreign Power can take just exception. If recommendations contained in such a message should be adopted by Congress, and should become a law, a foreign Power which may suppose that its rights or interests would be affected thereby may then properly object, through its representative here, to the measure proposed. No such contingency having yet occurred your interference in the matter must be regarded as at least premature.

HAMILTON FISH.

A SUIT FOR DAMAGES FOR ENTICING AWAY A MAN'S WIFE.

All the Parties Formerly Belonging to New York.

[From the San Francisco Chronicle, Jan. 17.]

A case which is remarkable, not only intrinsically, but also from the fact that it is the first of its kind that has ever been brought before the courts of California, was partially heard in the Fifteenth District Court yesterday. Oliver Dale is the defendant. The complainant's name is J. A. Bergner, and he

DOLEFULLY COMPLAINS

that while living happily as man and wife with Maria Elizabeth Bergner the defendant, on or about the 15th of March, 1868, well knowing the said Maria Elizabeth to be the wife of the plaintiff, and wrongfully contriving and intending to deprive him of the comfort, society and aid of his said wife, maliciously enticed her away from the plaintiff and her then residence, on Maine street, in the city and county aforesaid, to a separate residence on Kentucky street, in the same city, and has ever since then detained and harbored her against the consent of the plaintiff, and in opposition to

HIS UTMOST PEACEABLE EFFORTS

to obtain her from the defendant's custody, control and influence. That by reason of the premises the plaintiff has been and still is wrongfully deprived by the defendant of the comfort, society and aid of his said wife, and has been put to great trouble and expense in endeavoring to recover her from the defendant, and has suffered great distress of body and mind to his damage.

The complaint further goes on to state that, on or about the 1st of May, 1870, Maria Elizabeth had a child which had not the slightest right to call Mr. Bergner papa; and further, "That by reason of this the affection which the said Maria Elizabeth theretofore had for plaintiff was alienated and destroyed, and the plaintiff has been ever since the 15th day of March, 1868, deprived," &c.

He consequently claims $20,000 damages for his lacerated feelings and ruined household.

Defendant's answer denies each and every one of plaintiff's allegations.

Messrs. Drake and Rix are attorneys for the plaintiff; Mr. Douthill appeared for the defendant.

Mr. Rix stated the case to the jury substantially as in the complaint.

AN EXTRAORDINARY CASE.

Mr. Douthill said the case was a peculiar one, more especially in California. There never had been such a case before in the State of California, and they had been of rare occurrence in other States. He supposed it was because the wife who would so demean herself was rarely considered worth troubling about; and perhaps, also, it was because it was so difficult to recover damages in such a case. After stating the case for the defence, Mr. Rix called

THE PLAINTIFF,

J. A. Bergner, to the stand. He was sworn, and testified as follows:—I am the plaintiff; I am a married man; was married in New York city in 1851; after my marriage I resided in New York till the year 1861, living with my wife all the time; in that year I came to San Francisco; while I resided in New York my wife and I had no difficulty in getting along; I was working in the window shade business; during that ten years five children were born to me, of whom three are living; came alone to San Francisco; after I had been here a few months I sent for my family; after they arrived here I lived in Steuart street, in different houses, for three or four years; I continued to live happily with my wife up to within two years of her leaving me; I know

THE DEFENDANT;

I became acquainted with him in New York; he was a member of the same church; my father married his mother; never visited my house in New York; I saw him here a few days after my arrival in this city; was here some years before I was; he became a roomer in my house; previous to that he used to come up to my house very often; he began to visit my family almost immediately after their arrival here; I was engaged in coasting between this city and Sacramento on a schooner;

THE CAUSE OF THE DIFFICULTY

was the intimacy between my wife and Dale; first the neighbors spoke to me about it; I had confidence in my wife and did not believe it; I spoke to my wife about it, and told her I thought she was rather too intimate with Dale; at one time I said I did not wish Oliver Dale to come up there to my house, and she said that if I put Dale out I might put her out also; I spoke to Dale about it, but he did not say whether he would leave or not; whenever I spoke of the subject there would be trouble; finally Oliver Dale left the house; when he left my house he went to Europe, and was away something like seven or eight months; he took

MY WIFE'S PORTRAIT

with him, and during his absence he sent my wife letters privately; I saw one of them, and got hold of it, but she tore it out of my hands; she received others, and used to run and read them in private; during Dale's absence I had peace in the family; after his return he came to my house against my permission, and continued to come until he got acquainted with a woman at the Lick House, when my wife became jealous and drove him out of the house; I continued to live with my wife till March, 1868; after coming to California no children were born; in March, 1868, I was working at lumber; I came home one day and found

THE FURNITURE PACKED UP

on a cart, and they were driving it away; the driver was a friend of Oliver Dale's, and he took it to a Mr. German's; my wife went to Mrs. Crowley's, on Mission street; I found her there a few days afterward; the very evening she went away Oliver Dale found her, when I did not know where she was; I went there and tried every persuasion to get her away; offered her money, gave her money; she threw it at me; said she did not need money; said she would go to service; a few days after she went to German's place, and took her furniture

TO OLIVER DALE'S HOUSE;

when she left Mrs. Crowley's she went straight to Oliver Dale's; I went to Dale's and knocked at the hall door; he answered it and said, "What do you want?" I said, "You have my wife and child;" he replied, "Go to hell and get your wife and child!" and slammed the door in my face; since then I have not been to Oliver Dale's; before the defendant came to my house I was possessed of sufficient means to support my wife comfortably; I saw my wife at the house of the Rev. Mr. Hulbreth, and I tried then to persuade her to return to me, as also at another time when she came to my house to see my eldest daughter; she said she would never live with me again; I did all I could to induce her to return until she got a child, and then I gave her up.

Cross-examined by Mr. Douthill—I went from New York to Chicago at one time and took my wife with me; I proposed to go

AS A MISSIONARY TO THE SCANDINAVIANS;

I stayed there a month perhaps; my wife returned with me to New York; I had means sufficient then; when I started I had $800; I furnished her constantly with a home; I clothed her properly and never had any domestic troubles with her in New York; when I left her in New York I left her some money, but not much; cannot say whether it was $5 or $50; cannot swear to any amount over $5; my sister helped to pay my passage to San Francisco; that is how I got here; in San Francisco I lived with my sister who came out with me; I went to boating after two or three weeks up to Sacramento and up the river, a friend of mine lent me some money; was engaged in boating for five years; when my wife arrived here I had a little money; I think I sent her something like $30; when she arrived here I can't say how much money I had; I paid her expenses to come out; don't recollect how much; don't recollect whether I paid the whole bill or not; I paid the rent at the different houses at which we lived; I will swear that she did not pay the rent there by taking in roomers; I applied to Dale once for assistance and he refused me; he did not furnish me with employment; I went on a schooner at that time, but not in his employ; I had an interest in the vessel; I gave Dale $300 or $400 for part of my interest, and was to work off the balance; the vessel was worth $3,000 or $4,000; generally, Dale was with me on my trips; that was in 1856; he got a room in my house in 1857, and roomed there six or eight months; a few months after he had boarded at my house our arrangement about the schooner was broken up; he did not complain of my industry or lack of energy in the business; before Mr. Dale roomed at my house we had never had any more domestic troubles than most families have—a word or two, perhaps, occasionally; I suspected my wife long before Dale roomed at my house; had reason to suspect Dale after he came to room at my house; I came in at times and found

HIS ARMS AROUND MY WIFE'S NECK,

kissing her, and using endearing language to her; I did not wish to lay hands on him, but I did not think it quite proper; I saw such conduct several times when I came in; caught them kissing one another; these acts occurred after he had ceased to room there; I told Dale to leave the house when I had my suspicions; after that I did not see Dale at my house; I did not say much to my wife; I thought it best to let it go.

Here Judge Dwinelle thought it best to let the case go over till this morning, and having intimated his thought, the Court adjourned till that time.

BOARD OF EDUCATION.

Report of Assistant Superintendent Calkins, Commissioned to Visit the Public Schools of Richmond, Va.—Reports of Minor Committees and of the Auditing Committee.

The stated meeting of the Board of Education was held at their rooms at four o'clock yesterday afternoon, at which considerable routine business was transacted.

THE RICHMOND SCHOOLS.

Mr. H. A. Calkins, Assistant Superintendent, reports that he visited the public schools of Richmond, Va., in accordance with instructions given him by the Board at the meeting on the 21st of December, 1870. He says there were opened, under the direction of the Board of Education of Richmond, thirty-one public schools for whites and thirty-one for colored children, in buildings leased temporarily for that purpose, and that there are now open thirty-nine for whites and thirty-three for colored pupils. The course of instruction is essentially the same as that pursued in the same class of schools in New York. The schools in Richmond would rank mostly in the primary grade, and the greatest progress has been made in what is called the grammar course. There are in the white schools 1,657 pupils, and in the colored schools 1,659. The facilities for education are the same in each. The regularity of attendance in many of the colored schools exceeds that of our schools for the same class of pupils. The registered number of pupils in one of the colored schools was 117, of which number 111 were regular attendants, or, more properly, 111 was the average attendance. To meet the expenses of the schools for the present school year $142,625 was appropriated by the city. Of thirty-one teachers in the public schools only twelve were colored, and two of these received their education in the colored schools of New York. Supplementing the above report was a copy of a resolution complimenting the Board of Education of New York, passed by the Board of Education of Richmond.

THE CHARGES AGAINST HALLANAN.

The committee to whom were referred the charges made by School Inspector Farrel Dorrity, of the Sixth School District, against J. A. Hallanan, stated at the last session of the Board that the charges were not sufficiently specific, and they being referred back the following was substituted:—

First—That the said Jeremiah A. Hallanan, being one of the trustees of common schools in the city of New York, has been, between the 1st of January, 1870, and January 24, 1871, directly interested in furnishing supplies and materials for use in doing work upon certain school buildings in the Twenty-first ward.

Second—That he has been indirectly interested in the same, and

Third—That during the time above mentioned he has been guilty of disgraceful conduct in matters connected with his official duties, thus throwing discredit upon the position he holds, and that he has secured work in the name of one of his employes—John Gleason.

These charges and specifications were referred to the Committee on By-laws.

CORPORAL PUNISHMENT.

The Committee on Bylaws report the following resolution:—

Resolved, That the application of the Trustees of the Eleventh ward, relative to the restoration of corporal punishment in Grammar School No. 6, on Randall's Island, be and the same is hereby denied, as the Commissioners of Charities and Corrections are *in loco parentis* of the children connected with said school.

FINANCIAL.

Three reports were received from the Auditing Committee, two of which recommended the payment of sundry bills, and the third audited accounts from the 12th of November to the 10th of December, 1870. The financial condition of the Board is thus reported:—

Total receipts.......................$307,240
Total payments.......................236,801

Balance to credit of Board in the Broadway Bank.......................$70,439

RAILROAD CONSOLIDATION.

Obstacles to the Proposed Union of the Pennsylvania and New Jersey Railroads.

PHILADELPHIA, Jan. 25, 1871.

Your correspondent yesterday called at the principal office of the Pennsylvania Railroad Company in search of definite information regarding the negotiations now pending between that and the Camden and Amboy and other New Jersey railroad companies.

I found Mr. Lombaert, the second vice president, at the office, and upon making known that I wished the information for the HERALD it was cheerfully accorded. The following is a record of the interview:—

REPORTER—Mr. Lombaert, in the absence of President Scott I have called on you for something definite in regard to the important negotiations between the Pennsylvania Railroad and the united companies of New Jersey. Any information you can give that will throw a new light on these negotiations I would be very glad to receive.

Mr. LOMBAERT—Well, a number of over-zealous newspapers, you are aware, have had the plan on the eve of consummation for the past three weeks. The truth is, the lease is no nearer consummation now than it was two years ago. I have nothing new to communicate—that is, nothing that would be of general interest.

REPORTER—I have been informed that the New Jersey roads demand twelve per cent instead of ten as interest on the value of the road. It is claimed by some that this is the Rubicon which has not yet been crossed.

Mr. LOMBAERT—There is but one thing that has operated against the lease from the beginning. This is a point on which we have as yet been unable to agree.

REPORTER—If not inconsistent with your duties can you give me that point?

Mr. LOMBAERT—It is this: There is not enough room in Jersey City to accommodate the business that we would bring there. We would frequently have at Jersey City four hundred freight cars. You know, as does everybody who has seen the premises, that the facilities at the Jersey City depot are not extensive enough to accommodate that amount of business. We have insisted that, before taking possession of the road, these facilities should be enlarged. To this end it would be necessary to have more tracks. We wish the New Jersey roads to lay these tracks, and otherwise enlarge shipping and receiving depots; they will not agree to do it. If they would get out of the way we would do it ourselves; but they won't give us a chance—they are not liberal enough. When this question of Jersey City yards and depots is settled the whole thing is fixed; there will be nothing further to prevent the lease. But until we can come to an understanding about that question the matter remains where it now is and has been for the past two years.

REPORTER—While I am here I would like to inquire as to the truth of the statement in the *Record* that the Pennsylvania Railroad had a controlling interest in Pacific Railroad stock, and which statement was sent to New York by the Associated Press.

Mr. LOMBAERT—We never owned a dollar's worth of the stock. Our only business with the Pacific road is to ship and receive freight and passengers, the same as by any other road. The roads use each other as mutual feeders. That is all. As to the Pennsylvania road having a controlling interest in Pacific stocks it is false. We never owned a dollar's worth of their stock.

And thus is definitely settled the vexed question of the lease of the united companies and the story of the Pacific stock. The correct reason for the advance in Pacific Railroad bonds lies in the fact that they promptly paid the interest on their first mortgages.

The Railroad War in Jersey.

It was expected that the fight between the Camden and Amboy and the National line would not be resumed in the New Jersey Legislature for two or three weeks. Accordingly the agents of the latter line hied off to Washington to push through the air line scheme, of which the National line forms a part. Camden and Amboy took advantage of their absence and executed a little manœuvre which displays more shrewdness and cunning than courage. On Monday night a bill was introduced in the Senate to repeal the ninth section of the Hamilton Land Improvement Company. The Senators did not perceive the milk in the cocoanut, and the bill passed through the regular stage without opposition. In fact, there was no one representing the National line in Trenton at the time. Now the section which it is proposed to repeal empowers the National Company to build several miles of railroad, which is to form a part of the air line. The National men arrived in Trenton yesterday and some lively tactics may be looked for. It is now a question of generalship, as well as of "resources." Camden and Amboy was fairly outgeneralled last session.

THE MURDERER RULLOFF'S MISSING DAUGHTER.

[From the Binghamton Republican, Jan. 24.]

Our statement concerning the woman thought to be the child of Rulloff has suggested further inquiry, and we present the following:—A person living in this city, who has relatives at Brookville, Pa., near Clarion, is acquainted with the lady supposed to be Edward H. Rulloff's daughter. The young lady is claimed as a daughter by Rulloffson, the brother of Rulloff, and she believes that the notorious murderer is her uncle. She is now about twenty-five years of age, is married to a man named Stratton, who keeps a hotel at Parker's Landing, Pa., and is the mother of two children. She has frequently received valuable presents, it was supposed from Rulloff, but when spoken to about him, always said that he is a very bad man. Rulloffson is possessed of much wealth, and the young lady in question, who is the only child they have ever had in their family, has received a liberal education, and all the advantages of wealth and position. She is spoken of as a very amiable person. Her age, the fact that there are no other children in the family, and the circumstances of the disappearance of Rulloff's child, have given rise to the belief among the people of Clarion county that she is the missing child.

FORGERY.

Extraordinary Career of a Young Canadian—He Comes to New York to Learn Yankee Notions, Enters Business with Counterfeiters and Winds Up by a Triple Forgery—His Chances Good for Sing Sing.

A deeply laid scheme of forgery and swindling was yesterday unearthed and brought to light by the detectives of this city, which, had it been developed by those concerned in its promulgation, might have proved extremely embarrassing and unpleasant for a number of merchants and others.

Two years ago Joseph Quinn, one of the bright and shining lights of Montreal, Canada—a fair, curly-haired, smooth-faced youthful looking and oily-tongued young man—came on to New York from the Dominion for the purpose of entering a house of business to learn "Yankee notions." Joseph soon commenced his apprenticeship and began in a marvellously short space of time to evince a state of proficiency almost unparalleled for a comparatively verdant youth, especially for a Canadian. He was in an importing house in John street for some months; but sundry reasons, actuated by suspicions that did not redound to the credit of the determined Quinn, caused his employers to let him slip; in other words, he was not considered as honest as he should be. He protested, of course, against anything which might affect his reputation, but all his protestations did not convince his ungrateful employers that they were discharging a faithful employé. Joseph, however, soon

THREW ASIDE THE PROTEAN VEIL

he had adopted, and the quiet, inoffensive, nice, soft-speaking young aspirant was suddenly transformed into an associate of counterfeiters and dealers of bogus scrip, and assuming airs that little accorded with the general impression he had previously created by his apparent suavity and gentleness. But if his manners had changed his proclivities for evil had become considerably and unpleasantly developed. The first intimation he received that the

HOUNDS OF JUSTICE WERE ON HIS TRACK

was some two months ago, when he ascertained that they had scented him as being an accomplice of two others who had hired an office in John street for the avowed object of getting counterfeit money and selling it to parties in the country at about thirty-five per cent of the indicated value. The manner in which this business was carried on appears to present a novel feature. Advertisements were placed in various country papers setting forth that a large amount of money could be made by

PURCHASING GREENBACKS AT THIRTY-FIVE PER CENT

of their denominated value, accompanied with a certain sign indicative of the character of the investments. Parties would send money by letter for the money, and in many instances no counterfeit currency would be sent; and as the subject could not well be broached in a court of law without involving all the parties concerned in the transaction, the victims were compelled to grin and bear it. Several aggravated circumstances tended to break up the gang a few weeks since, and

A NEW FIELD OF OPERATION

became essential in order to "keep the pot boiling." Counterfeit trading did not succeed, as might naturally be expected it would not for long, and they determined to adopt a different mode of proceeding in their nefarious style of business. It was agreed that Quinn should write out a number of orders and sign them with the name of S. Benedicks & Co., 368 Broadway, personally present the orders, and endeavor to get off with as much spoil as possible.

The first attempt was made upon the firm of John Foley & Co., gold pen manufacturers in Broadway, in the shape of an order for a quantity of pens, but, though the object was "write," it was at the same time illegal. The order was only scrutinized by Johnny, who preferred to send the goods on to Benedick's in the regular way, and not hand them "to bearer." This settled Quinn's hash in this direction, and made Foley think he had discovered

A RIVAL IN THE MATTER OF "QUICK TRANSIT,"

for doubtless he will find his way up town to Sing Sing before the benefactor of New York travellers has commenced to fulfil his pledges on rapid locomotion. He next sends an order to the Washington Medallion Pen Company, and here again "write" was made out "wrong," and he was thwarted. Nothing daunted, he makes a third attack upon the Esterbrook Steel Pen Company, 49 Maiden lane, and succeeded in obtaining ninety-seven dollars' worth of pens from them, which vanished like smoke into the regions of illimitable space as soon as he passed out of the warehouse with them. But a check was awaiting him. Messrs. Benedick had learned of Quinn's movements, and had sent and warned a number of their customers, &c., among them Fairchilds, gold pen makers of 110 William street, to whom Quinn yesterday presented an order for pens and telescope gold mounted pencils. Joseph was ordered to come back in an hour. He came back within the time specified and

THE GOODS WERE HANDED TO HIM,

of the value of $238; but, lo! as he turned to leave, Lewis Sondheim, of the firm of Benedicks, met him, quite by accident, of course, and, after being told by the rogue that he was taking the goods to their house, he gave him in charge of a detective, who took him to the Tombs as a matter of diversion. There all the parties made affidavits before Judge Hogan—Benedicks' that

THE ORDERS WERE ALL FORGERIES,

and the others that the prisoner had attempted to rob them of their goods. Thus the young Canadian has suddenly been brought to a standstill in his downward career, and it is not improbable that he will have ten years in the State Prison to repent of the past and plan a better and more honorable future.

EXIT THE NEWARK POLICE.

To the people of Newark in general and the members of the Newark police force in particular, the most important piece of work accomplished yesterday by the State Legislature was the repeal of the law creating the police commission in the lower house, the same action having been taken in the Senate on the preceding day. All that remains now is for the Governor to sign the repeal and out goes the entire existing force. That it will receive his signature there is not the slightest doubt. Indeed it would be useless for him to do otherwise, as the same vote that passed the bill is competent to pass it again over his veto. This result is simply what was anticipated. The commission was a democratic creation and a democratic institution, and was therefore not to be tolerated in a city having such a large republican councilmanic majority, the Legislature likewise preponderating in that way. Now that a change is inevitable it is to be hoped that the Senator from Essex will introduce a law having for its object the lifting of the police force entirely out of the filthy, demoralizing pool of politics. It is but justice to the present force to say that Newark has never had so efficient and well organized a body of police. On all sides and among people of all political creeds the present chief, Colonel James Peckwell, is beloved and declared to be the right man in the right place. Already the old chief, Mr. Clark, is named as his successor.

JERSEY CITY STREET IMPROVEMENTS.

The Jersey City Common Council, having at last yielded to the public demand for the extension of Washington street to the Central Railroad, the people in many parts of the city have ceased to grumble about the management of the Street Department. But it appears this most desirable improvement is to be defeated after all. The Mayor and Corporation Counsel put their heads together in the matter, and after "straining" a paragraph in the city charter, the construction of which appeared to them ambiguous, came to the conclusion that the people will have to wait till the charter is altered so as to meet the case. As soon as the Mayor's veto, accompanied by the opinion of the corporation counsel, was read, a lively debate ensued, in which Aldermen Fitzpatrick and Sheeran charged the Corporation Counsel with inconsistency—or a stronger term—he having previously given his opinion that the extension could be legally carried out. Alderman Harrington said that both documents should be referred to the Mayor for further consideration, but finally the veto was laid on the table. The Sugar House Company, who have frustrated this improvement hitherto, have thus won another victory.

A CHILD BURNED TO DEATH.

An accident, which resulted in the death of a child eighteen months old, occurred at a hamlet known as Pennybridge, in the town of Greenburg, Westchester county, on Tuesday morning. It appears that the wife of Robert Gryerriam, a laborer, living at that place, left her infant on the floor of their apartment while she went to feed some fowls, and on returning in a few minutes was horrified to find her offspring wrapped in a sheet of flame and burned almost beyond recognition. The little sufferer lingered in great agony for a few hours, when death terminated its sufferings. It is believed that deceased came in contact with a stove in the room, thus setting its clothes on fire.

A WIFE LEAVES HER HUSBAND AND SEVERAL SMALL CHILDREN AND ELOPES WITH A BOY.—Another case of feminine frailty and unrequited love comes to our notice. The actors in the sad scene of domestic life are a husband, a wife and a neighbor's boy. The marriage was consummated several years ago, the bridegroom being many years older than the bride. Four children were the fruit of this union, and until very lately the family was a happy one. The husband and father is a man of some property, living at Ridgeville, but doing business in Cleveland, where he is often detained for some time in the pursuit of his occupation. In the process of time a young man named Neal, about eighteen or nineteen years of age, becomes acquainted with the family, and the acquaintance grows into intimacy, and an attachment on the part of the woman, and in the absence of her husband this intimacy was carried to an extent that was criminal.

The husband provided for his family and treated his wife with his usual consideration, little dreaming of the dark proceedings that were undermining his happiness, till the fact came before him in all its sternness, and he found his home desolate, his children motherless and himself without a wife. On inquiry it was found that she had eloped with young Neal, and their tracks lay toward Canada.—*Cleveland (Ohio) Leader, Jan. 22.*

THE COURTS.

The Case of the Norwalk—Interesting Question of Admiralty Jurisdiction—Alleged Fraudulent Bankruptcy—Stealing Letters in the Post Office—The Case of the Florida—Assault and Battery on Board Ship—A Female Confidence Thief.

UNITED STATES SUPREME COURT.

Transportation Pay of Army Officers to Place of Enrolment.

WASHINGTON, Jan. 25, 1871.

No. 60. *The United States vs. Joseph W. Price—Appeal from the Court of Claims.*—This case was submitted on printed briefs at the adjourned term of the court in November last; but, the result being so important to the country, an oral argument was ordered, which was now heard. The following is a summary of the statement of the case, published at the time it was submitted on the printed briefs last fall:—Price was a resident of Iowa, and was mustered into the military service as a first lieutenant of the Thirty-ninth Iowa Volunteers for the term of three years or during the war, and continued in the service until January, 1865, when, having resigned, he was discharged, at his own request, on a surgeon's certificate of disability, incurred in the service. This action was brought to recover transportation pay to Adel, Iowa, the place of enrolment, and judgment below was entered pro forma for the claimant, and the case brought here for final determination, being one of a numerous class of cases involving large amounts and intended as a test case. The government insists that there is in the statutes no direct allowance of travel pay from the place of discharge to the place of enrolment. The allowance is, in terms, provided only for officers of the regular army, volunteer officers recently receiving its benefits through that provision of the act of July, 1861, which placed them "on the footing as to pay and allowances of similar corps of the regular army." It is contended that the footing thus referred to must have been intended to be that established and known since 1799, and not a new footing established in contravention of the universal practice of the government through seventy years with all the wars of that period. This new rule, it is suggested, would of course apply to soldiers as well as officers, and it is said its drain on the Treasury for officers alone would amount to millions, and that for both officers and men it would be enormous. A uniform construction of the oldest legislation on the subject is thought to be sufficient authority against opening the Treasury to such a demand.

Chipman & Hosmer for claimants; Assistant Attorney General Talbot for the government.

UNITED STATES DISTRICT COURT—IN ADMIRALTY.

The Case of the Norwalk.

Wilson and Others, Owners of the Steamer Norwalk, vs. the Steamtug James Roy.—This action is to recover $20,000 from the owners of the James Roy for the sinking of the steamer Norwalk in the East river, under the circumstances recently detailed in the HERALD. At the sitting of the Court yesterday morning Mr. Donohoe summed up the testimony for the libellants and Mr. Benedict for the respondents. Decision reserved.

Important Question of Admiralty Jurisdiction.

Tapscott, Owner of the Ship Perseverance, vs. The Steamboat Starbuck.—The question to be decided in this case is a novel one in Admiralty practice. It is claimed by the libellant that the Starbuck assisted a number of men who had engaged on the libellant's ship to escape from her, thus causing loss by reason of the advances made to the men and the delay which the desertion had caused. Damages to the amount of $3,000 are claimed, and the question to be determined is whether there can be a lien upon the Starbuck for this alleged desertion and loss. The libel and two depositions were read, after which the further hearing of the case was adjourned to this morning.

UNITED STATES COMMISSIONERS' COURT.

Alleged Fraudulent Bankruptcy.

Before Commissioner Betts.

The United States vs. John S. Loughery and Joseph C. Loughery.—The defendants are charged with having committed fraudulent acts of bankruptcy, contrary to the provisions of the forty-fourth section of the Bankruptcy act. On the 18th of the present month proceedings in bankruptcy were commenced against the defendants by Neil McCallum, one of their creditors. It is alleged in the affidavit upon which they have been arrested that three months before the filing of McCallum's petition against them they obtained a quantity of shoes, to the value of $579, from one Samuel Wilson, with intent to defraud, stating at that time to Mr. Wilson that they were worth at least $6,500 over and above their liabilities and debts, and that they did not owe $3,000. It is further charged that when the defendants made this statement they had been sued for the recovery of the money; that judgment had been obtained against them; that their property had been sold under execution; that they then owed debts to the amount of $10,000; that they have since, in letters addressed to their creditors, admitted that they had nothing and could pay nothing, and that they had disposed of goods purchased by them, not in the ordinary course of trade, but at a great loss at wholesale.

The Commissioner held the parties to bail in $5,000 each to await an examination upon the charge preferred against them.

Charge of Stealing Letters in the Post Office.

The United States vs. Lawrence.—The defendant is charged with stealing letters in the Post Office. The case has been reported in the HERALD. The further examination had been fixed for yesterday at one o'clock. At that hour Mr. Purdy appeared, and said they were short handed in the Marshal's office, and could not send to the jail for the prisoner. The case, therefore, went over till to-day.

Charge of Making a Fraudulent Return.

Before Commissioner Shields.

The United States vs. Nicholas Doll.—This case, in which the defendant is charged with making a fraudulent return of his sales as a manufacturer, was postponed for a week in consequence of the absence of a government witness.

The Case of the Steamer Florida.

It is now understood that United States District Attorney Davis, representing the government, will not take any appeal from the decision of Judge Blatchford, dismissing the libel against the steamer Florida. The vessel has been discharged from custody, and it may therefore be taken for granted that all proceedings as regards the Florida are at an end in the United States courts.

UNITED STATES CIRCUIT COURT.

Before Judge Woodruff.

Judge Woodruff has arrived in town from Albany, and will hold court next month, when the equity calendar will be called.

SUPREME COURT—SPECIAL TERM.

Application to Set Aside a Referee's Report.

Before Judge Ingraham.

Thomas M. Tyng vs. Mathew Baird et al.—The plaintiff was, for three years previous to 1869, in the employ of the Baldwin Locomotive Works in Philadelphia, of which the defendants are the proprietors. He brings suit to recover $330,000 alleged to be due him under contract. The case was sent before a referee, who decided in favor of the defendants. A motion to open the referee's report was granted, unless the defendants within ten days stipulate that the decision of the referee will not be a bar to any other action or proceeding by the plaintiff to enforce his claim.

SUPREME COURT—TRIAL TERM.

Verdict for Purchase Money Paid Before Foreclosure of Mortgage.

Before Judge Brady.

Adelaide L. Brundell vs. Ann La Coste.—In 1864 the plaintiff bought a house and lot of the defendant, in Morrisania, paying $800, and assuming a mortgage of $2,205. The mortgage was foreclosed, and plaintiff brought suit to recover the money she had paid. The jury gave a verdict for $1,042 66 for the plaintiff, including interest from the date of purchase.

SUPREME COURT—CHAMBERS.

Decisions.

By Judge Sutherland.

Davidson et al. vs. Hussey et al.—The weight of authority is against the allowance of counsel fee and costs of the notice, and that the plaintiff is, I think, entitled to a motion fee of ten dollars in addition to fifteen dollars costs before notice.

In re The Appointment of a Receiver of the Bell and Heath Mountain Company.—Motion granted.

Chrystie vs. The Star Metal Company of New York.—The amendment allowed and judgment ordered.

Same vs. Same.—Motion denied, without costs.

Brown et al. vs. Valentine et al.—Report confirmed and order granted.

By Judge Cardozo.

Fullgraff vs. The World Paper Stock Company.—Proposed order settled.

Max Strakosch Libel Suit.

Judge Sutherland, of the Supreme Court, yesterday gave his decision upon the two motions in this case. The first to strike out portions of the answer, and the second to change the venue. Both motions were denied.

SUPERIOR COURT—TRIAL TERM—PART 1.

That Peruvian Gunboat Case.

Before Judge McCunn.

Antonio Millan vs. Captain John Graham.—This case is still dragging its slow length along. The examination of the plaintiff was resumed yesterday and consumed all day. The only points of material interest in his testimony were that he gave to Dominiquez the Peruvian bonds for $400,000 and not to Captain Graham; that he received from the former the guarantee for the bonds; that it was upon him also he made the demand for the items of expenditure, and that Captain Graham was not present on either occasion. His testimony was very confused as to the papers he signed or their contents.

SUPERIOR COURT—TRIAL TERM—PART 2.

A Case with Several Beginnings and No End.

Before Judge Freedman.

Herman Funke et al. vs. The New York Mutual Insurance Company.—Another in the series of suits against insurance companies in this city, growing out of the loss of the schooner Samuel P. Keys, in 1867, in the Gulf of Mexico, with arms for the Mexican government, was begun to-day in this court. It will be remembered that the total insurances were $165,000, of which sum was a policy for $12,000 granted by the defendants. The defence in all the cases is that the vessel was unseaworthy, that the cargo was overrated in value, and that the loss was accomplished to recover the insurances. The case will doubtless last several days.

MARINE COURT—PART 3.

Assault and Battery.

Before Judge Tracy.

John Truayan vs. Joseph V. Rouze et al.—The plaintiff in this case shipped on board the bark Cleo, at Liverpool, for the city of New York. While going down the river Mersey he claimed that the mate of the vessel struck him on the nose with a piece of timber, about seven feet long, and that the blow broke his nose and otherwise injured him. The defence is that the man came on board drunk and refused to obey orders; that the mate struck him with a light stick, and that his face was cut when he came on board the ship.

After producing several witnesses, among whom were a colored husband and white wife, the steward and stewardess of the vessel, the defendant moved to dismiss the complaint, on the ground that the vessel being an English one and the alleged assault having been committed in a foreign port, the Court had no jurisdiction. Decision reserved.

COURT OF GENERAL SESSIONS.

A Confidence Female Hotel Thief Sent to the State Prison for Seven Years and Six Months—Interesting Particulars.

Recorder Hackett came into court yesterday for the purpose of disposing of one of the most notorious "confidence" ladies known to the police authorities. District Attorney Garvin, who is always on hand to "assist" in disposing of talented and dangerous offenders, said that he placed at the bar Mary C. Miller, who has several aliases, for his Honor's action. At the December term she was charged with grand larceny in stealing, on the 10th of September, diamond jewelry, valued at $500, from Mrs. William B. Berry, at the St. Nicholas Hotel.

As Mrs. Berry had left the city when this accomplished hotel thief was arraigned, the prosecuting officer took a plea of an attempt at grand larceny, with the distinct understanding that she was to leave New York and not return. The Recorder suspended judgment upon the condition of her leaving within a week.

Judge Garvin called the attention of his Honor to the fact that the woman at the bar abused the clemency of the Court by remaining in New York, and by committing another similar offence, upon which he now arraigned her. This second indictment charged her with stealing two camel's hair shawls and $1,000 in diamond jewelry from a room in the Westminster Hotel, occupied by Mrs. N. Bishop and family. It appears that Mrs. Miller hired rooms at the Westminster, representing herself to be the wife of a wealthy planter in Louisiana. Although not particularly good looking, she is fascinating in her manners and gifted in conversation. She, therefore, found no difficulty in ingratiating herself into the confidence of the guests in the hotel, among whom was Mrs. Bishop. Learning that Mrs. Bishop and daughter were going to a dinner party upon a certain evening, she obtained entrance to her room and stole the jewelry. It was this same hotel thief who stole the jewelry of Mrs. Hutchings, the wife of the Surrogate.

Mrs. Miller said she would plead guilty, but asked the Recorder to postpone the sentence for a week in order to enable her to arrange some matters before the Surrogate of Kings county, in the interest of her son.

The Recorder observed that she could make any affidavits she pleased afterwards, and refused to grant her request. His Honor sentenced her to the State Prison upon the former plea for two years and six months, and upon the second indictment for five years, making in all seven years and six months.

GRAND LARCENIES.

Louis Fieldler pleaded guilty to grand larceny in stealing an overcoat valued at thirty dollars on the 9th of January, the property of William H. Scovill. There was another case against him.

James Barry, who, on the 7th inst., stole $150 worth of human hair, the property of Letitia Hamilton, pleaded guilty to the charge.

The following is the calendar for to-day:—The People vs. Michael Kennedy, rape; Same vs. Frederick Lee, robbery; Same vs. James S. Gwynne, bigamy; Same vs. Henry McDermott, felonious assault and battery; Same vs. John McClennan, burglary; Same vs. William Smith, burglary; Same vs. Albert Craig, grand larceny; Same vs. John McGuire, grand larceny; Same vs. Ellen Finlay, grand larceny; Same vs. James Hughes, grand larceny; Same vs. John White and John Loftus, grand larceny; Same vs. William J. McGuire and John Higgins and al., grand larceny; Same vs. John Dunn, grand larceny; Same vs. John J. Looney and Kate Lyons, larceny from the person.

COURT CALENDARS—THIS DAY.

SUPREME COURT—GENERAL TERM.—Held by Judges Ingraham, Barnard and Cardozo. Opens at half-past ten A. M.—Nos. 223, 369, 233, 234, 235, 236, 237, 238, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 419, 254, 255, 256, 260.

SUPREME COURT—CIRCUIT.—Part 1—Before Judge Brady. Opens at eleven A. M.—Nos. 9, 64, 357, 311, 141, 25, 27, 31, 145, 81, 2799, 235, 21, 51, 61, 153, 261, 33, 85, 37½. Part 2—Before Judge Van Brunt. Opens at half past ten A. M.—Nos. 159, 24, 1752, 14, 18½, 228, 134, 970½, 72, 236, 1710, 34, 1698, 120½, 142, 158, 180, 162½, 166.

SUPREME COURT—CHAMBERS.—Before Judge Sutherland.—Nos. 65, 84, 85, 129, 138, 141, 164, 170, 172, 176, 190, 291.

SUPERIOR COURT.—Parts 1 and 2.—Cases on.

COMMON PLEAS.—Part 1—Before Judge Larremore.—Nos. 204, 474, 1009, 35, 473, 471, 504, 505, 506, 507, 508, 509, 510, 512, 513.

BROOKLYN COURTS.

UNITED STATES DISTRICT COURT.

The Alleged Defaulting Paymaster's Clerk.

Before Judge Benedict.

The case of Robert D. Bogart, who is indicted on the charge of having stolen moneys belonging to the United States while paymaster's clerk of the receiving ship Vermont, at the Navy Yard, was called on again yesterday afternoon. Bogart's counsel was unable to attend, in consequence of an engagement in court elsewhere, and the trial was therefore postponed until to-day. The defendant gave bonds in $10,000 to appear for trial.

Alleged Illicit Distilling.

Thomas Sullivan, who was indicted by the Grand Jury on the charge of being engaged in the distilling business without complying with the law, was arraigned and pleaded not guilty. He was remanded for trial, and the court adjourned.

UNITED STATES COMMISSIONER'S COURT.

Arrest of an Alleged Illicit Distiller.

Before Commissioner Winslow.

John Skully was placed under arrest yesterday afternoon on the charge of being engaged in the business of a distiller at North Thirteenth and Seventh streets, Brooklyn, E. D., without paying the special tax required by law. He was taken before the Commissioner and held to bail in the sum of $2,500 to await an examination.

SUPREME COURT—CIRCUIT.

Suit Against the Western Union Telegraph Company to Recover Custom House Brokers' Fees.

Before Judge Tappen.

Andrew R. Culver et al. vs. The Western Union Telegraph Company.—The plaintiffs in this case are Custom House brokers, doing business in New York. They bring suit to recover the sum of $1,792, which they claim is due them under the following circumstances:—It seems that two cents per pound and fifteen per cent *ad valorem* had been charged by the Collector upon telegraph wire or cable. The defendants, with other parties, believing that no higher rate than thirty-five per cent *ad valorem* should be exacted, entered into a written agreement with plaintiff on April 8, 1868, that they should endeavor to recover all excess of duties which might have been or should be collected thereafter from them, the plaintiffs to bear the expenses of the proceedings and receive one-half of the amount which might be recovered. On the 21st of September, 1869, through the exertions of plaintiffs, the government refunded $2,602 to the Telegraph Company, and the plaintiffs now claim that they are entitled to half of the amount.

The defence is that a verbal agreement was made concerning the reduction on certain wire imported by defendants, who had no intention of entering into any agreement with regard to future importations. The agreement referred to by plaintiffs was signed inadvertently and without its contents being known. The defendants claim further that the $2,602 referred to were deposited with the Collector pending and in advance of the liquidation of the duties, and that the money was not returned to them by reason of any of plaintiffs' acts. Case on.

SUPREME COURT—SPECIAL TERM.

The Defunct Central Bank—Report of the Referee.

Before Judge Pratt.

Mr. Henry T. Chapman, the referee appointed to investigate the affairs of the defunct Central Bank,